

BOARD OF SELECTMEN MEETING
Minutes of February 10, 2020

CALL TO ORDER: Chairman Ross McLeod called the meeting to order at 7:00 pm. Selectmen Bruce Breton, Roger Hohenberger, Joel Desilets, and Heath Partington were present, as was Town Administrator David Sullivan. Mr. McLeod opened with the Pledge of Allegiance.

ANNOUNCEMENTS: Mr. Desilets reminded everyone that the Primary Election was the following day, February 11, from 7 am to 8pm at the High School.

PUBLIC HEARING – KENO: Mr. McLeod read the public hearing notice into the record as follows: *“In accordance with RSA 284:51, the Board of Selectmen will hold a Public Hearing on the question to be voted on at the 2020 Town Meeting “Shall we allow the operation of keno games within the Town of Windham?”, on Monday, February 10, 2020 at 7:00 pm at the Community Development Department.”*

Mr. John Kichler, representing Red’s Tavern, spoke in favor of the article stating that his patrons have often inquired as to when they may be allowed to play Keno. He went on to explain that passage of the article would be a benefit to the Town, as it would increase the amount of money that goes into Education Funding at the State level, which is then given back in part to the towns.

Mr. Popovici-Muller, speaking as a resident, commented that he felt Keno was more of a social kind of gambling.

There being no further public input, Mr. McLeod simply noted the article will appear on the ballot as per previous Board discussions.

TOWN WARRANT REVIEW: Mr. Hohenberger moved and Mr. Breton seconded to reconsider all the Board’s recommendations on the warrant. Motion passed 5-0.

Article 5 – Water Line Extension Bond –

Mr. Partington expressed that he has been on the fence in regards to the article, and had spent a lot of time over the past weekend seriously contemplating his vote. He further stated that he was now on the fence because the numbers that the Board had been given to date had mostly come in the last few weeks and had not been vetted long enough to review the finer points and impacts. He stated that there is a lot of blame for this but it starts with the Board, including himself.

Mr. Partington added that he felt, while the Board was in a better place than last year, the fact that the numbers were not known until January is inexcusable. He indicated he continues to have questions such as:

- (1) Can the town pay money out of the general fund up front to pay the bond payments and then be reimbursed by the TIF district later?
- (2) Was inflation factored into the numbers presented at the Town Meeting?
- (3) Has everything been covered in the data calculations? Are there any hidden costs?

Mr. Partington went on to explain that, looking at the big picture, he felt this year or next was the best chance for the town to get an alternative water source to the center of town with the potential of a State grant covering one third of the costs. He opined that (1) although there are some unknowns, he did not believe the taxpayers bear the majority of the burden, (2) having the option of a clean, sustainable water source over the course of time is important, and (3) do we have enough energy and focus to get all the work done over the course of the next year; clarifying that the latter included, but was not limited to, developing all the information associated with TIF district(s); developing and agreeing on connection fees, impact fees, fire protection fees; operating agreements for Phase I and Phase II; understanding what a water tank will look like; and understanding all the PFOS/PFOA impacts.

Mr. Popovici-Muller explained to the Board how the town funds paid in the first few years of the bond payments will, in time, be paid back to the town through monies collected from any TIF district that was established.

Mr. Norman explained how a TIF district is established and ended; clarifying that once the bond payments are satisfied, the TIF would end and the additional revenue generated due to increased property valuations would then no longer be restricted to paying the bond payments, but would instead then be applied to the overall budget of the town.

Mr. Gary Garfield, Economic Development Committee, offered to work over the next year, along with his committee, to develop a schedule of action items that will need to be undertaken to address many of the questions raised by Mr. Partington, as well as to implement same.

Mr. Ralph Valentine provided some information as to what a possible storage tank would look like and commented that the property owner of the parcel that would, conceptually, house the tank was generally favorable to allowing his property to be used. He further commented that he had reviewed the projected TIF revenues and, based on his knowledge of the area, he felt that the potential revenues could be close to double staff estimates.

Mr. David Tanis, Northland Road, expressed concerns that all the information was not in place, for instance the storage tank placement, and were we going to bring in the right businesses. He stated that he was not in favor of the article.

Mr. Chris McCarthy, property owner of land off Indian Rock Road, discussed the PFOS contamination affecting several properties along the Route 111 area and the responsibility of the Town regarding same. He expressed his opinion that it would be better to spend the money on the water line rather than continuous mitigation/remediation to address the contamination. He further commented that the article includes a “null and void” provision should the town not receive the grant funds from the State.

The Board discussed the need to provide more information to the general public in advance of the Town Vote in March; requesting that staff arrange an agenda item for the Board’s March 9th meeting, and that more cost and revenue numbers be obtained for discussion at that meeting.

Mr. Desilets moved and Mr. Breton seconded to recommend the article. Motion passed 4-1 with Mr. Hohenberger opposed.

Article 6 – Searles Tower Repair Bond –

Mr. Desilets moved and Mr. Breton seconded to recommend the article. Motion passed 5-0.

Article 7 – Rail Trail Repair Bond –

Mr. Hohenberger moved and Mr. Breton seconded to recommend the article. Motion passed 4-1, with Mr. Desilets opposed.

Article 8 – Property Maintenance Trust –

Mr. Hohenberger moved and Mr. Breton seconded to recommend the article. Motion passed 5-0.

Article 9 – Searles Special Revenue Fund –

Mr. Hohenberger moved and Mr. Breton seconded to recommend the article. Motion passed 5-0.

Article 10 – Municipal Union Contract –

Mr. Hohenberger moved and Mr. Breton seconded to recommend the article. Motion passed 5-0.

Articles 11 - 14 – Fire Contract, Police Contract, Fallback Article for Contracts, and Lease Payment on Ambulance –

Mr. Breton moved and Mr. Desilets seconded to recommend articles 11-14. Motion passed 5-0.

Article 15 – Rescue Tool (Jaws of Life) –

Mr. Desilets moved and Mr. Breton seconded to recommend the article. Motion passed 5-0.

Article 16 and 17 – Police Station Roof Repairs; Town Common Beautification –

Mr. Breton moved and Mr. Desilets seconded to recommend articles 16 and 17. Motion passed 5-0.

Article 18 – TIF Statute Authorization –

Mr. Desilets moved and Mr. Breton seconded to recommend the article. Motion passed 5-0.

Article 19 – MSDC Special Revenue Fund –

Mr. Desilets moved and Mr. Breton seconded to recommend the article. Motion passed 5-0.

Article 20 – Lease Agreement with Salem – PRV Building –

Mr. Hohenberger stated that the town should wait to see how things go with the current, one year lease before entering into a longer term one.

Mr. Desilets asked whether the Board could continue with another one year lease, to which many replied in the affirmative.

Mr. Desilets moved and Mr. Breton seconded to recommend the article. Motion passed 4-1, with Mr. Hohenberger opposed.

Article 21 – Increase in the Tax Credit for Service Connected Total Disability –

Mr. Breton moved and Mr. Hohenberger seconded to recommend the article. Motion passed 5-0.

Article 22 – Petition – Removal of Deed Restriction on Third Street Property –

Mr. Breton moved and Mr. Partington seconded to not recommend the article. Motion passed 5-0.

Article 22 and 23 – Petitioned Articles on Keno; Climate Change Resolution –

Mr. Desilets expressed his intention to vote against the Climate Change article, however the Board agreed not to place any recommendations on these articles.

Article 25 – Operating Budget –

Mr. Desilets moved and Mr. Breton seconded to recommend the article. Motion passed 5-0.

STATE LAND PURCHASE – “INDIAN ROCK”: The State of NH, in response to the Town’s request to buy a one (1) acre piece of State land surrounding the historic “Indian Rock” off of Enterprise Drive, has offered to sell the land to the Town for \$5,100 (\$4,000 plus an administrative fee of \$1,100); subject to the town using the land as recreation/open space and, further, that the town pay for the cost of subdividing the parcel from a larger one.

Mr. Breton moved and Mr. Hohenberger seconded to have Mr. Sullivan send a letter to the State confirming the Town’s commitment to purchase the land as outlined in the State’s offer letter. Motion passed 5-0.

VETERANS CREDIT TAX ABATEMENT: Mr. Sullivan presented a request on behalf of the Assessing Office to approve a Veterans Tax Credit Abatement in the amount of \$500 for 2019.

Mr. Desilets moved and Mr. Hohenberger seconded to approve the abatement request as presented. Motion passed 5-0.

SEARLES TRUSTEES – GRANT APPLICATION REQUEST: Mr. Sullivan presented a request from the Searles Trustees that they be authorized to apply for a matching grant from the NH Preservation Alliance. The grant, for \$6,950 with 50% coming from the Searles Special Revenue Fund, would be used to develop a historic assessment report, a document that will be needed as part of a separate grant to be applied for through LCHIP to help towards repairs to the Tower.

Mr. Hohenberger moved and Mr. Desilets seconded to authorize the submittal of the grant and for Mr. Sullivan to sign any associated documents. Motion passed 5-0.

MINUTES: Mr. Hohenberger moved and Mr. Desilets seconded to approve the minutes of 8/26, 11/18, 12/9, 12/30, and 1/6/2020 as written. Motion passed 5-0.

NON-PUBLIC SESSION: Mr. Hohenberger moved and Mr. Breton seconded to enter into nonpublic session in accordance with RSA 91-A:3 II a.

Personnel: The Board, Mr. Sullivan, and Mr. Senibaldi, General Services Director, were present.

Mr. Sullivan presented staff's recommendation to hire a candidate for a vacant position in the General Services – Transfer Station Department. Mr. Hohenberger moved and Mr. Breton seconded to hire the candidate as recommended and place them on Step One of the position grade, subject to final background checks.

Mr. Hohenberger moved and Mr. Breton seconded to come out of non-public session and adjourn the meeting. Motion passed 5-0.

Meeting adjourned at 8:23pm.

Respectfully submitted,

David Sullivan, Town Administrator